

EXHIBIT C



1700 G Street NW, Washington, D.C. 20552

RE: FOIA Request #CFPB-2019-476-F

September 13, 2019

Mr. Michael Martinez

Democracy Forward Foundation

Via email: foia@democracyforward.org

Dear Mr. Martinez:

This letter is to inform you that on September 12, 2019, the Consumer Financial Protection Bureau (CFPB) received your Freedom of Information Act (FOIA) request dated September 12, 2019. Your request sought:

In an effort to understand, and explain to the public, whether CFPB has a required Memorandum of Understanding (MOU) with the Department of Education (ED) to ensure coordination in providing assistance to and serving borrowers seeking to resolve complaints related to their private education or Federal student loans. Democracy Forward requests:

1. Any memorandum of understanding or other agreement between the CFPB and the Department of Education to ensure coordination in providing assistance to and serving borrowers seeking to resolve complaints related to their private education or Federal student loans formed after August 31, 2017.
2. All records of and related to the “assurances” provided by the Department to the Bureau “necessary for the Bureau to share confidential supervisory information with it” and referenced in the letter of April 23, 2019 from Director Kathy Kraninger to Senator Elizabeth Warren.¹

Please be advised that the CFPB FOIA Office has a backlog of pending FOIA requests. We are diligently working to process each request in the order in which it was received. Your patience is greatly appreciated.

In accordance with Section 1070.17 of the CFPB FOIA regulations, 12 C.F.R. Part 1070, the Bureau generally processes FOIA requests according to their order of receipt. Although the CFPB’s goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period for unusual circumstances. Unusual circumstances include the need to search for and collect records from separate CFPB officers; the need to

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search for, collect, and examine a voluminous amount of records “demanded in a single request”; and the need to consult with another agency or two or more agency components.

Due to the need to consult with two or more agency components, the CFPB will invoke a 10-day extension for your request, as allowed by 5 U.S.C. § 552(a) (6)(B). If you have any questions or if you wish to discuss the reformulation of your request or an alternative time frame for processing your request, you may contact our FOIA Public Liaison at FOIA@consumerfinance.gov or by phone at 1-855-444-FOIA (3642).

As it relates to your fee waiver request, your request will be held in abeyance pending the quantification of responsive records. The CFPB FOIA regulations, set forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government;" (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities; (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons; (4) Whether the contribution to public understanding of government operations or activities will be "significant;" (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and (6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor. If any responsive records are located, we will consider these factors in our evaluation of your request for a fee waiver.

You may appeal any of the responses or decisions set forth above. If you choose to file an appeal, you must do so within 90 calendar days from the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. You may send your appeal via the mail (address below), email (foia@consumerfinance.gov) or fax (1-855-FAX-FOIA (329-3642)).

Your appeal should be addressed to:

Consumer Financial Protection Bureau
Chief FOIA Officer
Freedom of Information Appeal
1700 G Street, NW
Washington, DC 20552

For inquiries concerning your request, please reference your FOIA request number above and contact our FOIA Public Liaison via email at FOIA@consumerfinance.gov or by phone at 1-855-444-FOIA (3642).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services

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they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Danielle Duvall Adams
Acting FOIA Manager
Operations Division